

1 SEE NEXT PAGE FOR LIST OF COUNSEL

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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN FRANCISCO DIVISION**

6 BIO-RAD LABORATORIES, INC. AND
7 LAWRENCE LIVERMORE NATIONAL
8 SECURITY, LLC,

9 Plaintiffs,

10 vs.

11 10X GENOMICS, INC.

12 Defendant.
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Case No. 3:17-cv-4339-VC

JOINT STIPULATION AND
~~PROPOSED~~ ORDER OF DISMISSAL

Judge: Vince Chhabria

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

David Bilsker (Bar No. 152383)
davidbilsker@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, California 94111-4788
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Kevin Johnson (Bar No. 177129)
kevinjohnson@quinnemanuel.com
555 Twin Dolphin Dr., 5th Floor
Redwood Shores, California 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Attorneys for Plaintiffs

*Bio-Rad Laboratories, Inc. and
Lawrence Livermore National
Security, LLC*

Randy Z. Wu (SBN 293090)
6230 Stoneridge Mall Road
Pleasanton CA 94588
Telephone: (925) 401-7318
Randy.Wu@10xgenomics.com

TENSEGRITY LAW GROUP, LLP

MATTHEW D. POWERS (Bar No. 104795)
matthew.powers@tensegritylawgroup.com
555 Twin Dolphin Drive, Suite 650
Redwood Shores, CA 94065
Telephone: (650) 802-6000
Facsimile: (650) 802-6001

AZRA M. HADZIMEHMEDOVIC (Bar No.
239088)
azra@tensegritylawgroup.com
8260 Greensboro Drive, Suite 260
McLean, VA 22102
Telephone: (703) 940-5031
Facsimile: (650) 802-6001

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Nicholas Groombridge
Jennifer H. Wu
Josephine Young
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

Megan F. Raymond
2001 K Street, NW
Washington, DC 20006
Telephone: (201) 223-7300
Facsimile: (201) 223-7420

*Attorneys for Defendant
10X Genomics, Inc.*

1 WHEREAS, Bio-Rad Laboratories, Inc. (“Bio-Rad”) and the Lawrence Livermore
2 National Security, LLC (“LLNS”) (collectively, “Plaintiffs”) asserted claims of infringement of
3 U.S. Patent Nos. 9,089,844; 9,126,160; 9,216,392; 9,347,059; 9,500,664; 9,636,682; and
4 9,649,635 (collectively, “the Bio-Rad Patents-in-Suit”) against 10X Genomics, Inc. (“10X”) (Dkt.
5 No. 1);

6 WHEREAS, 10X Genomics, Inc. (“10X”) answered, asserted affirmative defenses, and
7 counterclaimed for declaratory judgment of non-infringement and invalidity of the Bio-Rad
8 Patents-in-Suit (Dkt. No. 25);

9 WHEREAS, Plaintiffs and 10X have mutually agreed to a settlement of their respective
10 claims;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
12 Plaintiffs and 10X, through their respective undersigned counsel, pursuant to Federal Rule of Civil
13 Procedure 41(a)(1)(A)(ii):

14 1. To dismiss with prejudice Plaintiffs’ claims for infringement of the Bio-Rad Patents-
15 in-Suit against 10X (Dkt. No. 1, First through Seventh Causes of Action).

16 2. To dismiss without prejudice 10X’s counterclaims for non-infringement and
17 invalidity of the Bio-Rad Patents-in-Suit against Plaintiffs (Dkt. No. 25, First through Fourteenth
18 Causes of Action of 10X’s Counterclaims for Declaratory Judgment);

19 Each party shall bear its own costs, expenses, and attorneys’ fees incurred with respect to all
20 claims, defenses, and counterclaims in this Action.
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1 Dated: July 28, 2021

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3 */s/ David Bilsker*

4 **QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

5 David Bilsker (Bar No. 152383)
6 davidbilsker@quinnemanuel.com
7 50 California Street, 22nd Floor
San Francisco, California 94111-4788
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

8 Kevin Johnson (Bar No. 177129)
9 kevinjohnson@quinnemanuel.com
10 555 Twin Dolphin Dr., 5th Floor
Redwood Shores, California 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

11 *Attorneys for Plaintiffs*

12 *Bio-Rad Laboratories, Inc. and*
13 *Lawrence Livermore National*
14 *Security, LLC*

/s/ Azra M. Hadzimehmedovic

Randy Z. Wu (SBN 293090)
6230 Stoneridge Mall Road
Pleasanton CA 94588
Telephone: (925) 401-7318
Randy.Wu@10xgenomics.com

TENSEGRITY LAW GROUP, LLP

MATTHEW D. POWERS (Bar No. 104795)
matthew.powers@tensegritylawgroup.com
555 Twin Dolphin Drive, Suite 650
Redwood Shores, CA 94065
Telephone: (650) 802-6000
Facsimile: (650) 802-6001

AZRA M. HADZIMEHMEDOVIC (Bar No.
239088)
azra@tensegritylawgroup.com
8260 Greensboro Drive, Suite 260
McLean, VA 22102
Telephone: (703) 940-5031
Facsimile: (650) 802-6001

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Nicholas Groombridge
Jennifer H. Wu
Josephine Young
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
ngroombridge@paulweiss.com
jwu@paulweiss.com
jyoung@paulweiss.com

Megan F. Raymond
2001 K Street, NW
Washington, DC 20006
Telephone: (201) 223-7300
Facsimile: (201) 223-7420
mraymond@paulweiss.com

Attorneys for Defendant

10X Genomics, Inc.

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I hereby attest that all signatories listed above, on whose behalf this Joint Stipulation of Dismissal with Prejudice is submitted, concur in the filing's content and have authorized the filing

Dated: July 28, 2021

/s/ Azra M. Hadzimehmedovic

Azra M. Hadzimehmedovic
Attorneys for Defendant

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 30, 2021



Honorable Vince Chhabria
United States District Judge